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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,669	12/04/2001	James A. Van Bosch	TC00135	9613
23330	7590	05/01/2006	EXAMINER	
MOTOROLA, INC. LAW DEPARTMENT 1303 E. ALGONQUIN ROAD SCHAUMBURG, IL 60196			NGUYEN, STEVEN H D	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,669

Applicant(s)

VAN BOSCH, JAMES A.

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-11, 13, 15, 17, 18, 20-23, 25, 27, 28, 32, 34 and 36-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 8-11, 13, 15, 17-18, 20-23 and 36-44 is/are allowed.
- 6) ☒ Claim(s) 25, 27, 32, 34, 45 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed on 2/20/06. Claims 5-7, 12, 14, 16, 19, 24, 26, 29-31, 33, 35 have been canceled and claims 1-4, 8-11, 13, 15, 17-18, 20-23, 25, 27-28, 32, 34 and 36-46 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 25, 27, 32, 34, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boys (US 2002001303) in view of Menon (US 20010022784).

Regarding claim 25, Boys discloses a method for storing an unique identifier of wireless device in a memory of second wireless device coupled to a vehicle (Fig 2 is a wireless device of vehicle, Fig 1, Fig 7, Ref 44, has a memory for storing the telephone number of a wireless device, ref 713 of Fig 7); identifying that an event has occurred to said vehicle (Fig 10, Ref 1003 and 1006), in response to said step of identifying that an event has occurred to the vehicle, transmitting a message comprising an unique identifier of the wireless device via a server (Fig 10, Ref 1007, See Fig 7, page 9, Sec [98-100]. However, Boys does not disclose a server stored a current dynamic address of the wireless device. In the same field of endeavor, Menon

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discloses a server contained a telephone number and current dynamic address of the wireless device to be used for setup a call between the wireless devices (See Page 3, Sec 60-61, Page 6, 102-103).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method for storing the IP address of the wireless device in a server in order to route the message between the wireless devices as disclosed by Menon into the teaching of Boys. The motivation would have been to reduce the cost of the call.

Regarding claim 27, Boys disclose the unique identifier is IMSI (Page 10, Sec 114, telephone number).

Regarding claim 28, Menon discloses Server is a cellular provider (Fig 1, Ref 55).

Regarding claim 32, Boys discloses the message is transmitted via internet (Fig 7).

Regarding claim 34, Menon discloses the second wireless device receiving the current dynamic address of the wireless device (Page 5, Sec 92, IP voice packet between end points, therefor the end points must received the IP address of other end point).

Regarding claim 46, Menon discloses the message is encrypted (Page 16, Sec 240-241).

4. Claim 45 rejected under 35 U.S.C. 103(a) as being unpatentable over Boys and Menon as applied to claim 25 above, and further in view of (USP 4821309).

Regarding claim 45, Boys and Menon fail to disclose event is one of alarm or motion sensor have been activated. In the same field of endeavor, Namekawa discloses sending a message from wireless device to a second device in response to detect an alarm has been activated (Fig 4).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method of detecting alarm signal as an event to generate a call for transmitting a message to a pre-stored telephone number as disclosed Namekawa in the teaching of Boys and Menon. The motivation would have been to prevent the vehicle to be stolen.

Allowable Subject Matter

5. Claims 1-4, 8-11, 13, 15, 17-18, 20-23 and 36-44 allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schuyler (USP 6429773) discloses a wireless device on a vehicle is accessed remotely via Internet by a second communication device.

Banerjee (US 20030034882) discloses a real time vehicle alert system comprising storing the telephone number of owner in the wireless device of the vehicle and notifying the owner if it received a message by forwarding the message to the destination device of the telephone number.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'SHD' with a stylized flourish extending to the right.

Steven HD Nguyen
Primary Examiner
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April 28, 2006